

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\*\*\*\*\*  
CITY OF SOMERVILLE, \*  
Plaintiff \*  
\*  
v. \* CIVIL ACTION  
\* NO 1:15-cv-12331  
SHAWN WILLIAMS, as SUPERVISOR \*  
OF PUBLIC RECORDS, \*  
Defendant. \*  
\*\*\*\*\*

**JOINT SCHEDULING CONFERENCE STATEMENT**

Pursuant to Local Rule 16.1, counsel for all parties have conferred and now submit this Joint Scheduling Conference Statement in anticipation of the scheduling conference on September 24, 2015 at 11:45 a.m.

**A. Proposed Agenda of Matters to be Discussed.**

1. There is a companion pending case in Middlesex Superior Court.
2. This case involves an appeal of an administrative agency decision. The plaintiff's position is that the issue raises a federal question involving an interpretation of the Driver Privacy Protection Act.
3. The defendant has filed a motion to dismiss for lack of jurisdiction and for failure to state a claim upon which relief can be granted and will be prepared to argue the motion at the scheduling conference. The plaintiff has filed an opposition to the motion and will be prepared to argue the motion at the scheduling conference.

**B. Proposed Pre-trial Schedule**

1. Motions to Dismiss – Filed on August 10, 2015; Oppositions by September 10, 2015;
2. Hearing on Motion to Stay and Motion to Dismiss – At the scheduling conference or as determined by the Court
3. Disclosures required by Fed R. Civ. Pr. 26(a)(1) – The parties agree that any documents have already been provided to the parties and no additional disclosures are required.
4. Discovery – None
5. Motions for judgment on the pleadings, if necessary-- Filed by December 1, 2015; Oppositions filed by January 15, 2016; Replies, if any, filed by February 1, 2016.
6. Hearing on motions for judgment on the pleadings-- To be determined by the Court

7. The undersigned affirm that they have conferred with a view to establishing a budget for the costs of conducting the full course and various alternative courses of the litigation and to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

**C. Magistrate Judge**

One party does not consent to trial by a magistrate judge at this time.

PLAINTIFF

By its attorney,

DEFENDANT

By his attorney,

MAURA HEALEY,  
ATTORNEY GENERAL

/s/ David P. Shapiro

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Certificate of Service

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non registered participants on 9/10/2015.

/s/ David P. Shapiro

Assistant City Solicitor  
City of Somerville